

UNITED STATES DISTRICT COURT
SOUTHER DISTRICT OF TEXAS
MCALLEN DIVISION

NORTH AMERICAN BUTTERFLY
ASSOCIATION d/b/a THE NATIONAL
BUTTERFLY CENTER and MARIANNA
TREVINO WRIGHT,
Plaintiffs,

v.

NEUHAUS & SONS, LLC, *et al.*
Defendants.

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CASE NO. 7:19-CV-00411

UNOPPOSED MOTION TO DISMISS

COMES NOW, Plaintiffs North American Butterfly Association d/b/a The National Butterfly Center and Marianna Trevino Wright, in the above-styled and numbered cause, and hereby seek dismissal with prejudice of the prospective nuisance cause of action under the Texas Water Code violation claims under 28 U.S.C. § 1331 asserted by Plaintiffs, based on Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure.

Plaintiffs' counsel has contacted counsel for the other parties, and no party opposes this motion.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that the Court grant its Unopposed Motion to Dismiss.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2022, all counsel of record who have consented to electronic service were served with a copy of this document via the Court's CM/ECF system.

/s/Javier Peña
Javier Peña